

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

REGINALD WAYNE WILTON,

Petitioner,

v.

MARGARET GILBERT,

Respondent.

CASE NO. C16-207-JCC

ORDER DISMISSING FEDERAL
HABEAS ACTION

The Court, having reviewed petitioner's federal habeas petition, respondent's answer to the petition, petitioner's motion to withdraw his petition, the Report and Recommendation of James P. Donohue, Chief United States Magistrate Judge, any objections thereto, and the remaining record, hereby finds and ORDERS:

(1) The Court adopts the Report and Recommendation.

(2) Petitioner's motion to withdraw his federal habeas petition without prejudice (Dkt. 16) is DENIED.

(3) Petitioner's petition for writ of habeas corpus (Dkt. 6) and this action are DISMISSED, with prejudice, as untimely.

(4) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED.

1 (5) The Clerk is directed to send copies of this Order to petitioner, to counsel for
2 respondent, and to the Honorable James P. Donohue.

3 DATED this 7th day of September 2016.
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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE